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11 Defendant, *in pro se*

12  
13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA

15 Disney Enterprises, Inc.,

16 Plaintiff,

17 v.

18 Robert Perez and Does 1 – 10, inclusive,

19 Defendants.  
20  
21

Case No. CV11-7812 RGK  
(MRWx)

CONSENT DECREE AND  
PERMANENT INJUNCTION

22 The Court, having read and considered the Joint Stipulation for Entry of  
23 Consent Decree and Permanent Injunction that has been executed by Plaintiff Disney  
24 Enterprises, Inc. (“Plaintiff”) and Defendant Robert Perez (“Defendant”) in this action,  
25 and good cause appearing therefore, hereby:

26 ORDERS that based on the parties’ stipulation and only as to Defendant, his  
27 successors, heirs, and assignees, this Injunction shall be and is hereby entered in the  
28 within action as follows:

- 1) This Court has jurisdiction over the parties to this action and over the subject matter hereof pursuant to 17 U.S.C. § 101 *et seq.*, 15 U.S.C. § 1051 *et seq.*, and 28 U.S.C. §§ 1331 and 1338. Service of process was properly made against Defendant.
- 2) Plaintiff claims that it owns or controls the pertinent rights in and to the copyright registrations identified in Exhibit A, attached hereto (collectively “Plaintiff’s Copyrights”).
- 3) Plaintiff claims that it owns or controls the pertinent rights in and to the trademark registrations identified in Exhibit B, attached hereto (collectively “Plaintiff’s Trademarks”). (Plaintiff’s Copyrights and Plaintiff’s Trademarks are collectively referred to herein as “Plaintiff’s Properties”.)
- 4) Plaintiff has alleged that Defendant has made unauthorized uses of Plaintiff’s Properties or substantially similar likenesses or colorable imitations thereof.
- 5) Defendant denies Plaintiff’s allegations that he has made unauthorized uses of Plaintiff’s Properties or substantially similar likenesses or colorable imitations thereof. This Consent Decree shall not serve as an admission of liability.
- 6) Defendant and his agents, servants, employees and all persons in active concert and participation with him who receive actual notice of the Injunction are hereby restrained and enjoined from:
  - a) Infringing Plaintiff’s Properties, either directly or contributorily, in any manner, including generally, but not limited to manufacturing, importing, reproducing, distributing, advertising, selling and/or offering for sale any unauthorized product which features any of Plaintiff’s Properties (“Unauthorized Products”), and, specifically from:
    - i) Importing, manufacturing, reproducing, distributing, advertising, selling and/or offering for sale the Unauthorized Products or any other unauthorized products which picture, reproduce, copy or use the

1 likenesses of or bear a substantial similarity to any of Plaintiff's  
2 Properties;

3 ii) Importing, manufacturing, reproducing, distributing, advertising,  
4 selling and/or offering for sale in connection thereto any unauthorized  
5 promotional materials, labels, packaging or containers which picture,  
6 reproduce, copy or use the likenesses of or bear a confusing similarity to  
7 any of Plaintiff's Properties;

8 iii) Engaging in any conduct that tends falsely to represent that, or is  
9 likely to confuse, mislead or deceive purchasers, Defendant's customers  
10 and/or members of the public to believe, the actions of Defendant, the  
11 products sold by Defendant, or Defendant himself are connected with  
12 Plaintiff, are sponsored, approved or licensed by Plaintiff, or are affiliated  
13 with Plaintiff;

14 iv) Affixing, applying, annexing or using in connection with the  
15 importation, manufacture, reproduction, distribution, advertising, sale  
16 and/or offer for sale or other use of any goods or services, a false  
17 description or representation, including words or other symbols, tending  
18 to falsely describe or represent such goods as being those of Plaintiff.

19 7) Each side shall bear its own fees and costs of suit.

20 8) Except as provided herein, all claims alleged in the Complaint are dismissed  
21 with prejudice.

22 9) This Injunction shall be deemed to have been served upon Defendant at the time  
23 of its execution by the Court.


24 10) The Court finds there is no just reason for delay in entering this Injunction and,  
25 pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs  
26 immediate entry of this Injunction against Defendant.  
27  
28

11) The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Injunction.

12) The above-captioned action, shall, upon filing by Plaintiff of the Settlement Agreement, Stipulation for Entry of Judgment and Judgment Pursuant to Stipulation, and requesting entry of judgment against Defendant, be reopened should Defendant default under the terms of the Settlement Agreement.

13) This Court shall retain jurisdiction over the Defendant for the purpose of making further orders necessary or proper for the construction or modification of this consent decree and judgment; the enforcement hereof; the punishment of any violations hereof; and for the possible entry of a further Judgment Pursuant to Stipulation in this action.

DATED: March 16, 2012



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Hon. R. Gary Klausner  
Judge, United States District Court  
for the Central District of California

PRESENTED BY:

J. Andrew Coombs, A Prof. Corp.

By: \_\_\_\_\_  
J. Andrew Coombs  
Nicole L. Drey  
Attorneys for Plaintiff Disney  
Enterprises, Inc.

Robert Perez

By: \_\_\_\_\_  
Robert Perez  
Defendant, *in pro se*

**Exhibit A**  
**Plaintiff's Copyrights**

<b><u>Copyright Registration Number:</u></b>	<b><u>Title of Work:</u></b>	<b><u>Author of Work:</u></b>
COMPILATION	10 Things I Hate About You Season 1	Disney Enterprises, Inc.
RE 27-746	Alice in Wonderland	Disney Enterprises
PA 542 647	Beauty and the Beast	Disney Enterprises
PA0001665408	Beverly Hills Chihuahua	Disney Enterprises
Applicant Tracking Number: 93420	Beverly Hills Chihuahua 2	Disney Enterprises, Inc.
PA 1-617-950	Bolt	Disney Enterprises
PA0001645052	Camp Rock	Disney Enterprises
PA0001738017	Camp Rock 2: The Final Jam - Extended Edition	Disney Enterprises
COMPILATION	Cars Toon: Mater's Tall Tales	Disney Enterprises
PA0001651219	Cheetah Girls - One World, The Chronicles of Narnia: Prince Caspian, The	Disney Enterprises
PA0001612956	Confessions of a Shopaholic	Disney Enterprises
PA0001622679	Desperate Housewives Season 5	Disney Enterprises
COMPILATION	Disney My Friends Tigger & Pooh: Super Duper Super Sleuths	Disney Enterprises, Inc.
PA0001737035	Disney's A Christmas Carol	Disney Enterprises, Inc.
PA0001664304	Disney's Sing Along Songs - Very Merry Christmas Songs	Disney Enterprises
PA0000513584	Enchanted	Disney Enterprises
PA0001595126	G-Force	Disney Enterprises
PA0001641991	Hannah Montana The Movie	Disney Enterprises
PA 1-627-575	Hannah Montana: The Second Season	Disney Enterprises
COMPILATION	High School Musical	Disney Enterprises
PA 1-313-530	High School Musical 3: Senior Year	Disney Enterprises
PA 1-613-593	High School Musical The Concert	Disney Enterprises
SR0000411822	Jonas Brothers in Concert	Disney Enterprises
PA0001593116	Mickey Mouse Clubhouse Detective Minnie	Disney Enterprises
COMPILATION	My Friends Tigger & Pooh - Friendly Tails	Disney Enterprises
COMPILATION	My Friends Tigger & Pooh - Super Sleuth Christmas Movie	Disney Enterprises
PA0001665413	My Friends Tigger, Pooh and Musical Too	Disney Enterprises
PA0001608662	Pixar Short Films Collection Vol 1	Disney Enterprises
PA0001689164	Prince of Persia: The Sands of Time	Disney Enterprises
PA0001656826	Princess and the Frog, The	Disney Enterprises
PA0001627574	Race to Witch Mountain	Disney Enterprises

1	PA0001679508	Santa Buddies – The Legend of Santa Paws	Disney Enterprises
2	PA0001765693	Search For Santa Paws, The	Disney Enterprises
3	PA0001706963	Secretariat	Disney Enterprises, Inc.
4	PA0001706963	Secretariat	Disney Enterprises
5	PENDING	Sharpay's Fabulous Adventure	Disney Enterprises
6	PA0001613826	Snow Buddies	Disney Enterprises
7	R 354 235	Snow White and the Seven Dwarfs	Disney Enterprises
8	PA0001691405	Sorcerer's Apprentice, The	Disney Enterprises
9	PA0001695807	Space Buddies	Disney Enterprises
10	PA0001660807	Surrogates	Disney Enterprises
11	PA0000938320	Swing Vote	Disney Enterprises
12	PA0001713581	Tangled	Disney Enterprises, Inc.
13	PA 659 979	The Lion King	Disney Enterprises
14	PA0001608579	The Little Mermaid: Ariel's Beginning	Disney Enterprises
15	PA0001350308	The Suite life of Zack & Cody : no. 2-18, That's so suite life of Hannah Montana	Disney Enterprises
16	PA 659-601	Tim Burton's The Nightmare Before Christmas	Disney Enterprises
17	PA 1-611-943	Tinker Bell	Disney Enterprises
18	PA0001703137	Tinker Bell and the Great Fairy Rescue	Disney Enterprises, Inc.
19	PA0001668259	Tinker Bell and the Lost Treasure	Disney Enterprises
20	PA0001688323	Toy Story 3	Disney Enterprises, Inc.
21	PA0001713579	Tron: Legacy	Disney Enterprises, Inc.
22	PA 1-635-067	Up	Disney Enterprises
23	PA 1-606-305	Wall-E	Disney Enterprises
24	PA0001633057	Walt Disney Animation Collection Volume 2: Three Little Pigs	Disney Enterprises
25	PA0001699594	Wizards of Waverly Place: The Movie	Disney Enterprises
26	PA0001699603	Wizards on Deck with Hannah Montana	Disney Enterprises

**Exhibit B****Plaintiff's Trademarks**

<b>Trademark</b>	<b>Mark Drawing Code</b>	<b>Trademark Application or Registration No.</b>	<b>Trademark Registration Date</b>
Disneyland	Typed Drawing	3,415,499	4/22/08
Walt Disney World	Words, Letters, and/or Numbers in Stylized Form	3,548,681	12/23/08
Walt Disney World	Typed Drawing	1,189,727	2/16/82
WALT DISNEY	Typed Drawing	1,267,000	11/22/83
WALT DISNEY	Standard Character Mark	3,917,336	2/8/11
WALT DISNEY	Standard Character Mark	Serial Number 77,225,318	n/a
WALT DISNEY PRESENTS	Words, Letters, and/or Numbers in Stylized Form	0,826,419	3/28/67
CASTLE DEVICE	Design Only	Serial Number 77,154,442	n/a
BUENA VISTA HOME ENTERTAINMENT	Standard Character Mark	3,946,630	4/19/11
BUENA VISTA	Typed Drawing	1,570,700	12/12/89
VISTA SERIES	Typed Drawing	2,805,355	1/13/04
TOUCHSTONE	Typed Drawing	1,536,119	5/31/88
TOUCHSTONE	Design Plus Words, Letters, and/or Numbers	3,588,875	3/10/09
TOUCHSTONE	Typed Drawing	1,539,650	5/16/89
TOUCHSTONE	Design Plus Words, Letters, and/or Numbers	1,534,696	4/11/89
CIRCLE DEVICE	Design Only	1,322,622	2/26/85
DISNEY	Typed Drawing	2,888,282	9/28/04
DISNEY	Typed Drawing	3,235,413	4/24/07



DISNEY	Typed Drawing	3,410,201	4/8/08
DISNEY	Standard Character Mark	Serial Number 77,098,343	n/a
D DISNEY FAMILY MOVIES	Design Plus Words, Letters, and/or Numbers	3,764,357	3/23/10
DISNEY DVD IMAGINE, LAUGH & LEARN	Standard Character Mark	3,512,512	10/7/08
DISNEY FAIRIES	Standard Character Mark	3,532,716	11/11/08
DISNEY'S FAST PLAY	Design Plus Words, Letters and/or Numbers	3,197,261	1/9/07
DISNEY'S HOLLYWOOD STUDIOS	Standard Character Mark	Serial Number 77,247,032	n/a
DISNEY IMAGINATION	Standard Character Mark	Serial Number 77,722,264	n/a
DISNEY JUNIOR	Standard Character Mark	Serial Number 85,154,260	n/a
DISNEY JUNIOR	Design Plus Words, Letters, and/or Numbers	Serial Number 85,058,885	n/a
DISNEY MAGIC CONNECTION	Standard Character Mark	Serial Number 77,287,627	n/a
DISNEY MANIA	Standard Character Mark	3,687,985	7/14/09
DISNEYNATURE	Standard Character Mark	3,835,650	8/17/10
DISNEYNATURE	Standard Character Mark	3,870,914	11/2/10
DISNEY PRINCESS	Standard Character Mark	3,577,933	2/17/09
DISNEY SPOTLIGHT	Standard Character Mark	Serial Number 85,307,725	n/a
DISNEY STAR	Standard Character Mark	Serial Number 77,608,335	n/a
DISNEY STUDIO ALL ACCESS	Standard Character Mark	Serial Number 85,170,654	n/a
DISNEY STYLE	Standard Character Mark	Serial Number 85,035,726	n/a
DISNEY XD	Design Plus Words, Letters, and/or Numbers	Serial Number 77,478,247	n/a



DISNEY XD	Words, Letters, and/or Numbers in Stylized Form	3,778,757	4/20/10
DISNEY XD	Standard Character Mark	3,779,166	4/20/10
DISNEY XD	Words, Letters, and/or Numbers in Stylized Form	3,761,634	3/16/10
DXD	Standard Character Mark	3,705,751	11/3/09
XD	Standard Character Mark	3,782,344	4/27/10
HOUSE OF MOUSE	Typed Drawing	2,565,232	4/30/02
MICKY MOUSE CLUB	Typed Drawing	2,278,297	9/14/99
TOON DISNEY	Typed Drawing	2,457,669	6/5/01
WALT DISNEY FAMILY FOUNDATION	Standard Character Mark	Serial Number 77,608,719	n/a
WALT DISNEY FAMILY FOUNDATION MEDIA	Standard Character Mark	Serial Number 77,608,742	n/a
WALT DISNEY FAMILY MUSEUM	Standard Character Mark	3,886,911	12/7/10
WALT DISNEY FAMILY MUSEUM	Standard Character Mark	3,904,845	1/11/11
MOVIES. MAGIC. MORE.	Standard Character Mark	Serial Number 77,237,775	n/a
MOVIES. MAGIC. MORE.	Standard Character Mark	Serial Number 77,237,789	n/a
THE DISNEY CHANNEL	Typed Drawing	1,343,334	6/18/85